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July 24, 2007

BY HAND DELIVERY

Honorable Alvin K. Hellerstein
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

*So ordered
7-30-07
[Signature]*

Re: Cherif Diallo v. City of New York et al., 07 CV 4716 (AKH)

Your Honor:

As the Assistant Corporation Counsel assigned to the defense of the above-referenced civil rights action, I write to respectfully request that defendant City of New York's time to answer or otherwise respond to the complaint in this action be enlarged sixty (60) days to and including September 24, 2007. I have conferred with plaintiff's counsel, Wale Mosaku, Esq., and he consents to this initial sixty (60) day enlargement of time.¹

The complaint alleges, *inter alia*, that on November 21, 2006, Officer Vincent Cantania and other unidentified members of the New York City Police Department employed excessive force and falsely arrested plaintiff in violation of his state and federal civil rights. As a threshold matter, an enlargement of time will allow this office to forward to plaintiff for execution authorizations for the release of the underlying criminal and medical records. Defendant cannot obtain these records without the authorizations, and without the records, defendant cannot properly assess this case or respond to the complaint. Accordingly, defendant requires this enlargement so that this office may obtain the underlying documentation, properly

¹ A check of the docket sheet reveals that an Affidavit of Service of Summons and Complaint has not been filed with respect to the individually named police officer defendant identified in the caption of the complaint as "Vincent Catania", however, without making any representations or appearing on his behalf, in the event service was properly effected, the City respectfully requests that the same enlargement of time be granted to the individually named defendant so that his defenses are not jeopardized while representational issues are being decided.

investigate the allegations of the complaint and fulfill its obligations under Rule 11 of the Federal Rules of Civil Procedure.

No previous request for an enlargement of time has been made. Accordingly, defendant respectfully requests that its time to respond to the complaint be extended to and including September 24, 2007.

I thank Your Honor for considering this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sabrina Tann', with a long horizontal flourish extending to the right.

Sabrina Tann (ST 2552)
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Wale Mosaku, Esq.
Attorney for Plaintiff
(By Facsimile)